

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 2073 S HB	<b>Title:</b> Greenhouse gas other sources
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## Estimated Cash Receipts

NONE

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of Attorney General	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Health	.8	418,000	418,000	418,000	.0	0	0	0	.0	0	0	0
University of Washington	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Washington State University	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Ecology	Fiscal note not available											
Environmental and Land Use Hearings Office	.0	0	0	0	.0	0	0	0	.0	0	0	0
Department of Agriculture	.3	0	0	89,120	.1	0	0	18,810	.0	0	0	0
Total \$	1.1	418,000	418,000	507,120	0.1	0	0	18,810	0.0	0	0	0

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Department of Health	.0	0	0	.0	0	0	.0	0	0
University of Washington	.0	0	0	.0	0	0	.0	0	0
Washington State University	.0	0	0	.0	0	0	.0	0	0
Department of Ecology	Fiscal note not available								
Environmental and Land Use Hearings Office	.0	0	0	.0	0	0	.0	0	0
Department of Agriculture	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

# Estimated Capital Budget Breakout

<b>Prepared by:</b> Lisa Borkowski, OFM	<b>Phone:</b> (360) 742-2239	<b>Date Published:</b> Preliminary 2/ 2/2024
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2073 S HB	<b>Title:</b> Greenhouse gas other sources	<b>Agency:</b> 100-Office of Attorney General
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 01/26/2024
Agency Preparation: Amy Flanigan	Phone: 509-456-3123	Date: 01/31/2024
Agency Approval: Joe Zawislak	Phone: 360-586-3003	Date: 01/31/2024
OFM Review: Val Terre	Phone: (360) 280-3973	Date: 02/01/2024

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

The Attorney General's Office (AGO) Agriculture and Health Division (AHD) has reviewed this bill and determined the enactment of this bill will not impact the provision of legal services to the Department of Health (DOH) and the Department of Agriculture (AGR). The bill would require DOH to evaluate and provide consultation on anesthetic gases as related to greenhouse gas emissions. This may require some limited legal services. The bill would require AHD to consult with AGR on identifying the availability and feasibility of safer alternatives to the use of sulfuryl fluoride as a fumigant and preparing and submitting a legislative report. This may require some limited legal services, at a level that are nominal and costs are not included in this request.

The AGO Ecology Division (ECY) has reviewed this bill and determined it will not significantly increase or decrease the division's workload in representing the Department of Ecology (Ecology). The substitute bill requires Ecology to commission a study on sulfuryl fluoride, a fumigant pesticide (Section 2) and collect information on alternatives (Section 6). The bill no longer requires Ecology to add sulfuryl fluoride to the statutory definition of greenhouse gases for the purposes of reporting and regulation (former Section 4 in HB 2073), but now requires Ecology to consider the addition (Section 4), and still requires reporting emissions starting in October 1, 2025. This will require targeted and technical rulemaking by Ecology to implement in the Green House Gas (GHG) reporting rule, WAC 173-441. Section 3 of the bill requires Ecology to develop guidance for best practices for the use of certain anesthetic chemicals by medical, dental, and veterinary practitioners to reduce greenhouse gas impacts of the chemicals and requires such practitioners to "only use anesthesia in a manner consistent with the guidance document" after July 1, 2026. ECY construes this section to require development of the guidance as a set of best practices to be followed, but not requiring Ecology to develop an enforceable rule, as the bill includes no express rulemaking authority or enforcement mechanism. New legal services are nominal and costs are not included in this request.

The AGO University of Washington (UOW) has reviewed this bill and determined it will not increase or decrease the division's workload. Therefore, no costs are included in this request.

The AGO Washington State University Division (WSU) has reviewed this bill and determined it will not increase or decrease the division's workload. Therefore, no costs are included in this request.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2073 S HB	<b>Title:</b> Greenhouse gas other sources	<b>Agency:</b> 303-Department of Health
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.3	1.2	0.8	0.0	0.0
<b>Account</b>					
General Fund-State      001-1	56,000	362,000	418,000	0	0
<b>Total \$</b>	56,000	362,000	418,000	0	0

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 01/26/2024
Agency Preparation: Donna Compton	Phone: 360-236-4538	Date: 02/01/2024
Agency Approval: Kristin Bettridge	Phone: 3607911657	Date: 02/01/2024
OFM Review: Breann Boggs	Phone: (360) 485-5716	Date: 02/02/2024

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

The fiscal impact has changed from the previous fiscal note on House Bill 2073. The substitute adds the requirement that the Department of Health evaluate the medical procedure and professional liability risks of alternative anesthetic options intended to lower greenhouse gas emissions associated with the use of anesthetic gases and submit an evaluation to the Department of Ecology and appropriate committees of the legislature by July 1, 2025.

This bill concerns emissions of greenhouse gases from sources other than methane and carbon dioxide.

Section 3: Adds a new section to chapter 43.21A RCW (Department of Ecology) requiring the Department of Ecology to develop and publish a guidance document intended to reduce greenhouse gas emissions associated with the use of gases with a high global warming potential that are used for anesthesia purposes in medical, dental, veterinary, or other similar facilities and settings by January 1, 2026.

Section 4: Requires the Department of Health (department) to evaluate the medical procedure and professional liability risks of alternative anesthetic options intended to lower greenhouse gas emissions associated with the use of anesthetic gases and submit evaluation to the Department of Ecology and appropriate committees of the legislature by July 1, 2025.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

Section 3: Requires the Department of Ecology to consult with the Department of Health (department) and solicit input from the state board of health, the Washington medical commission, the Washington state board of nursing, the dental quality assurance commission, the board of osteopathic medicine and surgery, and the veterinary board of governors. The department assumes input provided to the Department of Ecology will be in a consultation capacity which will be limited to recommendations and therefore no fiscal impact for consultation services.

Section 4: Requires the department to evaluate the medical procedure and professional liability risks of alternative anesthetic options intended to lower greenhouse gas emissions associated with the use of anesthetic gases and submit an evaluation report by July 1, 2025.

The department assumes this work will be contracted out to an expert or experts with specialized knowledge about clinical procedures requiring anesthesia, climate impacts of various chemicals used for these procedures, and the liability risks associated with use of anesthetic options with lower climate impacts. The department assumes that because this work is highly specialized, a competitive bid process will need to be conducted. Based on the department's recent experience with a similar body of work requiring a specialized contractor, the department estimates a contract of \$200,000 to complete this work. Staff time to develop and manage the contract, gather data, collaborate on the evaluation, and coordinate the review and approval for the final evaluation will require time from program managers, a regulatory analyst and supervisor.

FY 2024 costs will be 0.3 FTE and \$56,000 (GF-S)

FY 2025 costs will be 1.2 FTE and \$362,000 (GF-S)

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	56,000	362,000	418,000	0	0
<b>Total \$</b>			56,000	362,000	418,000	0	0

### III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.3	1.2	0.8		
A-Salaries and Wages	28,000	104,000	132,000		
B-Employee Benefits	10,000	36,000	46,000		
C-Professional Service Contracts		200,000	200,000		
E-Goods and Other Services	12,000	14,000	26,000		
J-Capital Outlays	3,000		3,000		
T-Intra-Agency Reimbursements	3,000	8,000	11,000		
9-					
<b>Total \$</b>	56,000	362,000	418,000	0	0

### III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Fiscal Analyst 2	53,000		0.2	0.1		
Health Svcs Conslt 1	53,000		0.1	0.1		
REGULATORY ANALYST 3	97,596	0.3	0.8	0.6		
WMS02	118,932		0.1	0.1		
<b>Total FTEs</b>		0.3	1.2	0.8		0.0

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

### IV. D - Capital FTE Detail: *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## Part V: New Rule Making Required

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*



# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2073 S HB	<b>Title:</b> Greenhouse gas other sources	<b>Agency:</b> 360-University of Washington
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 01/26/2024
Agency Preparation: Michael Lantz	Phone: 2065437466	Date: 01/30/2024
Agency Approval: Jed Bradley	Phone: 2066164684	Date: 01/30/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/31/2024

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Substitute House Bill 2073 concerns emissions of greenhouse gases in the medical, dental, and veterinary fields, as well as from fumigant pesticides. This is the first version of the bill the University of Washington (UW) has been asked to evaluate.

Section 3 would impact UW Medicine. It requires the Department of Ecology (DOE) to develop and publish guidance for the reduction of greenhouse gases associated with the use of anesthetic gases for medical, dental, and veterinary procedures by January 1, 2026. In developing this guidance, DOE is required to consult a variety of medical entities including the UW via UW Medicine. By January 1, 2027, anesthetic gases must be used in a manner consistent with DOE's guidance.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

The costs for UW and UW Medicine to comply with SHB 2073 are likely to be relatively minimal. UW Medicine should be able to provide consultation on the DOE guidance within existing resources. Meanwhile, UW Medicine may need to revise policies and provide training to comply with the adopted guidance regarding anesthetic use. UW Medicine has already done significant work to reduce greenhouse gas emissions associated with the use of anesthetic gases and anticipates any additional fiscal impacts resulting from revisions to policy, practice, and training to be minimal, but indeterminate.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

### III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2073 S HB	<b>Title:</b> Greenhouse gas other sources	<b>Agency:</b> 365-Washington State University
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 01/26/2024
Agency Preparation: Anne-Lise Brooks	Phone: 509-335-8815	Date: 01/31/2024
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 01/31/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/31/2024

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

SHB 2073 relates to the emission of greenhouse gases from sources other than methane and carbon dioxide. A study is to be completed by the department of ecology on a variety of gases, and the department will issue a guidance document. Washington State University is included in section 3 as a subject matter expert to be consulted.

At this time Washington State University does not expect any fiscal impact due to this bill.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2073 S HB	<b>Title:</b> Greenhouse gas other sources	<b>Agency:</b> 468-Environmental and Land Use Hearings Office
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## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

NONE

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 01/26/2024
Agency Preparation: Dominga Soliz	Phone: 3606649173	Date: 01/31/2024
Agency Approval: Dominga Soliz	Phone: 3606649173	Date: 01/31/2024
OFM Review: Lisa Borkowski	Phone: (360) 742-2239	Date: 02/01/2024

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

This bill instructs Ecology to investigate sulfuryl fluoride, determine and recommend how to reduce/eliminate them as greenhouse gases (GHGs).

Sec. 1 – ss(3) allows Ecology to determine if producers or suppliers of sulfuryl fluoride should be required to report under RCW70A.15.2200 for calendar year 2025 emissions.

The effect on the Pollution Control Hearings Board (PCHB) is only that these things might be included in reporting starting with 2025 data (reports due to Ecology Mar. 31, 2026) and the PCHB's review authority over penalties (RCW 70A.15.3160)/orders (RCW 70A.15.2520 & .3010) issued for violations of Chapter 70A.15 RCW.

Speculatively, if Ecology determines to require such reporting, ELUHO estimates 0-1 low complexity PCHB appeals per year resulting from this bill. ELUHO assumes the PCHB can absorb costs associated with this bill.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

None

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

None

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

NONE

### III. B - Expenditures by Object Or Purpose

NONE

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE



**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

None

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2073 S HB	<b>Title:</b> Greenhouse gas other sources	<b>Agency:</b> 495-Department of Agriculture
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## Part I: Estimates

No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	0.5	0.3	0.1	0.0
<b>Account</b>					
Model Toxics Control Operating Account-State 23P-1	0	89,120	89,120	18,810	0
<b>Total \$</b>	0	89,120	89,120	18,810	0

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Dan Jones	Phone: 360-786-7118	Date: 01/26/2024
Agency Preparation: Daleena Blair	Phone: 360-584-4568	Date: 01/29/2024
Agency Approval: Lori Peterson	Phone: 360-974-9767	Date: 01/29/2024
OFM Review: Matthew Hunter	Phone: (360) 529-7078	Date: 01/29/2024

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

Compared to HB 2073, SHB 2073 would add new requirements for Department of Health and Department of Ecology in sections 2 through 4, and former section 6 is renumbered as section 5. These changes would not modify the fiscal impact estimated by Washington State Department of Agriculture (WSDA) for HB 2073. This fiscal note includes a correction to benefit cost estimates, reducing estimated costs for the proposed legislation.

Under current law, Washington State Department of Agriculture (WSDA) is responsible for enforcing pesticide regulations.

Section 5 (1) would require the Department of Ecology (ECY) to consult with WSDA to identify the availability and feasibility of safer alternatives for sulfuranyl fluoride as a fumigant.

Section 5 (3) would require ECY to consult with WSDA to submit a report to the Legislature regarding the availability of safer alternatives to sulfuranyl fluoride and proposed actions to reduce sulfuranyl fluoride emissions by October 1, 2025.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

The expenditure impact to Washington State Department of Agriculture (WSDA) is estimated to be greater than \$50,000 in fiscal year (FY) 2025 and less than \$50,000 in FY 2026. Costs are assumed to be in the Model Toxics Control Account-Operating, which is the standard appropriated account used for WSDA's pesticide management activities under current law.

Section 5 (3): Report on sulfuranyl fluoride alternatives

Assuming the proposed legislation would be effective July 1, 2024, WSDA estimates 0.5 FTE Pesticide Regulatory Specialist 3 (PRS3) would be needed in fiscal year 2025, and 0.5 FTE PRS3 would be needed for July through September 2025 (0.13 FTE) in fiscal year 2026 to conduct research and consult with ECY. WSDA assumes the employee would be responsible for writing a report of their findings in FY 26.

The Pesticide Regulatory Specialist 3 would conduct research and outreach to obtain statewide use data for sulfuranyl fluoride across multiple industries, conduct a detailed evaluation of all alternative pesticides, determine which pesticides are appropriately labeled for fumigation use, allow use on relevant agricultural commodities, and are effective for pest control. The PRS3 would consolidate a report of findings for submittal to the Department of Ecology. WSDA assumes Ecology would coordinate submittal of the report to the appropriate committees of the legislature.

The total estimated fiscal impact of the proposed legislation is as follows:

FY 2024: \$0 and 0.00 FTE

FY 2025: \$ 89,120 and 0.50 FTE

FY 2026: \$ 18,810 and 0.13 FTE

Summary of cost assumptions by object:

Salary estimates are current biennium actual rates at Step L.

Benefits are calculated based on current standard statewide benefit rates. This fiscal note corrects previously estimated health benefit costs in the fiscal note for the previous version of the proposed legislation.

Goods and Services are the agency average of \$8,600 per direct program FTE. Goods and Services also include building lease costs, estimated at \$3,800 per FTE per year, professional development costs estimated at \$500 per FTE per year, and personnel services charges, estimated to be 0.347% of salaries.

Equipment includes one-time workstation set-up costs of \$5,000 for the position, estimated to be \$5,000 in fiscal year 2025. Agency Administrative Overhead is calculated based on a rate of 24.6% of direct program salaries and benefits.

### Part III: Expenditure Detail

#### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
23P-1	Model Toxics Control Operating Account	State	0	89,120	89,120	18,810	0
<b>Total \$</b>			0	89,120	89,120	18,810	0

#### III. B - Expenditures by Object Or Purpose

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		0.5	0.3	0.1	
A-Salaries and Wages		46,670	46,670	11,670	
B-Employee Benefits		15,540	15,540	2,100	
C-Professional Service Contracts					
E-Goods and Other Services		6,610	6,610	1,650	
G-Travel					
J-Capital Outlays		5,000	5,000		
N-Grants, Benefits & Client Services					
9-Agency Administrative Overhead		15,300	15,300	3,390	
<b>Total \$</b>	0	89,120	89,120	18,810	0

#### III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
PESTICIDE REGULATORY SPECIALIST 3	93,343		0.5	0.3	0.1	
<b>Total FTEs</b>			0.5	0.3	0.1	0.0

#### III. D - Expenditures By Program (optional)

NONE

### Part IV: Capital Budget Impact

#### IV. A - Capital Budget Expenditures

NONE

#### IV. B - Expenditures by Object Or Purpose

NONE

#### IV. C - Capital Budget Breakout

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

## **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*